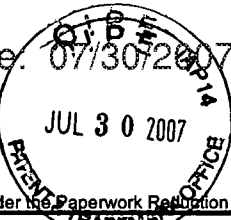


Receipt date: 07/30/2007

10658515 - GAU: 3738



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet 1 of 6

Complete if Known

Application Number	10/658,515
Filing Date	September 09, 2003
First Named Inventor	Mark Reiley
Art Unit	3738
Examiner Name	ISABELLA, DAVID J
Attorney Docket Number	10002-701.404

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	4	US- 3,596,656	8/3/1971	Kaute	
	7	US- 4,040,130	8/9/1977	Laure	
	13	US- 4,349,921	9/21/1982	Kuntz	
	14	US- 4,394,370	7/19/1983	Jefferies	
	27	US- 4,950,270	8/21/1990	Bowman et al.	
	38	US- 5,108,399	4/28/1992	Eitenmuller et al.	
	49	US- 5,312,409	5/17/1994	McLaughlin et al.	
	375	US- 5,314,492	5/24/1994	Hamilton et al;	
	54	US- 5,348,026	9/20/1994	Davidson	
	55	US- 5,350,380	9/27/1994	Goble et al.	
	63	US- 5,458,641	10/17/1995	Ramirez Jimenez	
	357	US- 5,474,551	12/12/1995	Finn et al.	
	361	US- 5,501,684	3/26/1996	Schlapfer et al.	
	85	US- 5,609,641	3/11/1997	Johnson et al.	
	88	US- 5,649,930	7/22/1997	Kertzner	
	91	US- 5,662,651	9/2/1997	Tornier et al.	
	96	US- 5,683,391	11/4/1997	Boyd	
	99	US- 5,683,466	11/4/1997	Vitale	
	104	US- 5,704,941	1/6/1998	Jacober et al.	

FOREIGN PATENT DOCUMENTS

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		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	290	FR 2726459	5/10/1996	Desauge Jean Pierre		
	291	FR 2749155	12/5/1997	Albert P. Alby		
	374	JP 10082605 A	3/31/1998	Takeuchi et al.		
	373	JP 59010807 A	1/1/1984	Ando, Hisao		
	296	WO 96/00049 A1	1/4/1996	Fairant		

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Application Number	10/658,515
Filing Date	September 09, 2003
First Named Inventor	Mark Reiley
Art Unit	3738
Examiner Name	ISABELLA, DAVID J
Attorney Docket Number	10002-701.404

Sheet 2 of 6

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	359	US- 5,776,135	7/7/1998	Errico et al.	
	358	US- 6,050,997	4/18/2000	Mullane, Thomas	
	153	US- 6,165,177	12/26/2000	Wilson et al.	
	201	US- 6,949,123	9/27/2005	Reiley	
	158	US- 6,214,012 B1	4/10/2001	Karpman et al.	
	202	US- 6,974,478 B2	12/13/2005	Reiley	
	363	US- 7,051,451 B2	5/30/2006	Augustino et al.	
	227	US- 2004/0006391 A1	1/8/2004	Reiley	
	229	US- 2004/0049273 A1	3/11/2004	Reiley	
	230	US- 2004/0049274 A1	3/11/2004	Reiley	
	231	US- 2004/0049275 A1	3/11/2004	Reiley	
	232	US- 2004/0049276 A1	3/11/2004	Reiley	
	233	US- 2004/0049277 A1	3/11/2004	Reiley	
	234	US- 2004/0049278 A1	3/11/2004	Reiley	
	235	US- 2004/0049281 A1	3/11/2004	Reiley	
	237	US- 2004/0111154 A1	6/10/2004	Reiley	
	245	US- 2005/0027361 A1	2/3/2005	Reiley	
	247	US- 2005/0043799 A1	2/24/2005	Reiley	
	253	US- 2005/0119748 A1	6/2/2005	Reiley et al.	

FOREIGN PATENT DOCUMENTS

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Sheet 3

of 6

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Filing Date	September 09, 2003
First Named Inventor	Mark Reiley
Art Unit	3738
Examiner Name	ISABELLA, DAVID J
Attorney Docket Number	10002-701.404

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	255	US- 2005/0137705 A1	6/23/2005	Reiley	
	256	US- 2005/0137706 A1	6/23/2005	Reiley	
	257	US- 2005/0143818 A1	6/30/2005	Yuan et al.	
	258	US- 2005/0149190 A1	7/7/2005	Reiley	
	262	US- 2005/0234552 A1	10/20/2005	Reiley	
	263	US- 2005/0235508 A1	10/27/2005	Augustino et al.	
	264	US- 2005/0240264 A1	10/27/2005	Tokish, JR. et al.	
	265	US- 2005/0240265 A1	10/27/2005	Kuiper et al.	
	266	US- 2005/0240266 A1	10/27/2005	Kuiper et al.	
	268	US- 2005/0261770 A1	11/24/2005	Kuiper et al.	
	269	US- 2005/0267579 A1	12/1/2005	Reiley et al.	
	271	US- 2005/0283238 A1	12/22/2005	Reiley	
	272	US- 2006/0009847 A1	1/12/2006	Reiley	
	273	US- 2006/0009848 A1	1/12/2006	Reiley	
	274	US- 2006/0009849 A1	1/12/2006	Reiley	
	276	US- 2006/0041311 A1	2/23/2006	McLeer	
	277	US- 2006/0052785 A1	3/9/2006	Augustino et al.	
	278	US- 2006/0058791 A1	3/16/2006	Broman et al.	
	279	US- 2006/0079895 A1	4/13/2006	McLeer	

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STATEMENT BY APPLICANT**

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Application Number	10/658,515
Filing Date	September 09, 2003
First Named Inventor	Mark Reiley
Art Unit	3738
Examiner Name	ISABELLA, DAVID J
Attorney Docket Number	10002-701.404

Sheet 4 of 6

U. S. PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
	281	US- 2006/0085072 A1	4/20/2006	Funk et al.	
	282	US- 2006/0085075 A1	4/20/2006	McLeer	
	283	US- 2006/0100707 A1	5/11/2006	Stinson et al.	
	284	US- 2006/0100709 A1	5/11/2006	Reiley et al.	
	370	US- 2006/0149375 A1	7/6/2006	Yuan et al.	
	285	US- 2006-0184180 A1	8/17/2006	Augustino et al.	
	365	US- 2006/0265070 A1	11/23/2006	Stinson et al.	
	368	US- 2007/0079517 A1	4/12/2007	Augustino et al.	
	372	US- 2007/0088358	4/19/2007	Yuan et al.	
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Sheet 5	of 6	Attorney Docket Number	10002-701.404

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	371	Yuan et al; U.S. Pat. App. # 11/636,252 entitled "Prostheses, Tools, and Methods for Replacement of Natural Facet Joints with Artificial Facet Joint Surfaces" filed 12/08/2006.	
	367	Broman et al; U.S. Pat. App. #11/642,417, entitled "Arthroplasty revision system and method" filed 12/20/2006.	
	369	Ohrt et al; U. S. Pat. App. # 11/724,927 entitled "Facet and disc arthroplasty system and method " filed 3/15/2007.	
	366	Kuiper et al; U.S. Pat. App. # 11/635,853, entitled "Crossbar Spinal Prosthesis Having a Modular Design and Related Implantation Methods", filed 12/08/2006.	
	376	Reiley et al; U.S. Pat. App. # 11/746,027 entitled "Facet Arthroplasty Devices and Methods," filed 5/08/2007.	
	377	REILEY et al; U.S. Pat. App. # 11/577,872 entitled "Facet Joint Prosthesis" which entered the U.S. from the National Phase 4/24/2007.	
	378	REILEY et al; U.S. Pat. App. # 11/577,923 entitled "Facet Joint Prostheses" filed 4/25/2007.	
	379	KUIPER et al; U.S. Pat. App. # 11/577,964 entitled "Crossbar Spinal Prosthesis Having a Modular Design and Systems for Treating Spinal Pathologies," filed 4/25/2007.	
	380	KUIPER et al; U.S. Pat. App. # 11/577,967 entitled "Crossbar Spinal Prosthesis having a Modular Design and Systems for Treating Spinal Pathologies," filed 4/25/2007.	
	381	REILEY, MARK; U.S. Pat. App. # 11/750,981 entitled "Facet Arthroplasty Device and Methods," filed 5/18/2007.	

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		Art Unit	3738
		Examiner Name	ISABELLA, DAVID J
Sheet 6	of 6	Attorney Docket Number	10002-701.404

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	382	BERG, et al; U.S. Pat. App. # 11/800,895 entitled "Minimally Invasive Spine Restoration Systems, Devices, Methods, and Kits," filed 5/7/2007.	

Examiner Signature	/Christopher Prone/	Date Considered	02/19/2009
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